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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff

v.

NOUR BITAR,

Defendant

Case No.: 2:23-cr-00108-CDS-NJK

**STIPULATION AND ORDER  
CONTINUING SENTENCING  
HEARING**

The United States, by and through its counsel of record, the United States Attorney for the District of Nevada and Assistant United States Attorney Daniel R. Schiess, and defendant NOUR BITAR ("defendant"), by and through his counsel of record Robert Hartmann, hereby stipulate as follows:

1. The information in this matter was filed on June 27, 2023.
2. On June 27, 2023, defendant entered a guilty plea to counts one, two and three of the information pursuant to a plea agreement. (Dkt. 12) The sentencing hearing is set for 10:00 a.m., September 25, 2023.

- 1       3. The parties stipulate and request the Court continue the sentencing hearing until  
2       November 27, 2023, or a date thereafter convenient to the Court. This is the first  
3       request to continue the sentencing hearing.
- 4       4. In the Superior Court of the State of California, County of Sacramento, in case no.  
5       23EE007693, dated May 26, 2023, the defendant is charged in a 70-count felony  
6       complaint with Engaging in Business Without a License, Failure to File Tax  
7       Returns, and Money Laundering (“state case”). The Deputy Attorney General has  
8       asserted the loss to the State exceeds \$20 million.
- 9       5. The state case involves over 26,000 documents and requires examination by experts  
10      to determine the extent of the defendant’s liability, and the actual loss to the state.  
11      There are complicated issues related to methodology and loss computation. Those  
12      issues are directly relevant not only to defendant’s guilt or innocence, but to on-  
13      going negotiations between the parties.
- 14     6. The parties in the state case have discussed a resolution of the case which would  
15      cause the sentence in the state case to run concurrent to this federal case. Mr.  
16      Schiess and the California Deputy Attorney General agree, that for the Government  
17      to concur with a concurrent sentence recommendation, defendant would need to  
18      timely enter a plea in the state case.
- 19     7. Given the complexity of the state case, the sheer number of documents, the  
20      schedules of experts, the necessary meetings between the experts, lawyers, and  
21      defendant envision completing where it is hoped the parties will agree on  
22      methodology and loss, defendant will not be able to discuss resolution of the state  
23      case until the middle to of November 2023.

8. It is essential to defendant's right to a fair trial, and prepared and competent counsel, he be out of custody pending this process. He will need to correspond regularly with experts, be available for meetings with experts and lawyers as well as be present at court appearances for which he has a due process right, and then to discuss resolution with his experts and counsel. If he is in-custody in the District of Nevada, it would be difficult if not impossible in counsel's experience for him to timely resolve the state case to take advantage of a concurrent sentence.

9. Accordingly, the parties hereby jointly stipulate and request the sentencing hearing be continued until November 27, 2023, or a date thereafter convenient to the Court.

IT IS SO STIPULATED.

DATED this 30<sup>th</sup> day of August, 2023.

JASON M. FRIERSON  
United States Attorney

*/s/ Daniel R. Schiess*

By: DANIEL R. SCHIESS  
Assistant United States Attorney

By: ROBERT HARTMANN  
Counsel for Defendant  
NOUR BITAR

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

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Case No.: 2: 2:23-cr-00108-CDS-NJK

~~PROPOSED~~ ORDER

ORDER

This matter comes before the Court on the Stipulation Continuing Sentencing Hearing. Upon consideration of the same, the Court grants the request.

IT IS THEREFORE ORDERED the sentencing hearing for defendant NOUR BITAR is continued from September 25, 2023, to November 27, 2023 at 10:00 a.m. in courtroom 6B.

DATED: August 31, 2023

By:   
HONORABLE CRISTINA D. SILVA  
UNITED STATES DISTRICT JUDGE